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8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
9 **STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. 2011-9

11 **FLOYD LEON VIGIL**  
12 **12212 Vienna Dr., NE**  
**Albuquerque, NM 87111**  
13 **Registered Nurse License No. 438009**

**A C C U S A T I O N**

14 Respondent.

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16 Complainant alleges:

17 **PARTIES**

18 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
19 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department  
20 of Consumer Affairs.

21 2. On or about March 31, 1989, the Board of Registered Nursing issued Registered  
22 Nurse License Number 438009 to Floyd Leon Vigil (Respondent). The Registered Nurse License  
23 was in full force and effect at all times relevant to the charges brought herein and will expire on  
24 September 30, 2010, unless renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board of Registered Nursing (Board),  
27 Department of Consumer Affairs, under the authority of the following laws. All section  
28 references are to the Business and Professions Code unless otherwise indicated.

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1 **COST RECOVERY**

2 8. Section 125.3 of the Code provides, in pertinent part, that the Board may request the  
3 administrative law judge to direct a licensee found to have committed a violation or violations of  
4 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
5 enforcement of the case.

6 **FIRST CAUSE FOR DISCIPLINE**

7 **(Out-of-State Discipline)**

8 9. Respondent is subject to disciplinary action under section 2761, subdivision (a)(4), in  
9 that effective July 30, 1993, before the Alabama Board of Nursing, in the case entitled, *In the*  
10 *Matter of Floyd Leon Vigil, License No: 2-20488*, attached hereto as **Exhibit A**, Respondent's  
11 Alabama Nursing License Number 2-20488 which was issued on May 14, 1979, was revoked.  
12 The circumstances are as follows:

13 10. On or about May 21, 1990, Respondent's Licensed Practical Nurse license was  
14 revoked by the Texas Board of Vocational Nurse Examiners. The circumstances of the  
15 revocation are that on or about October 11, 1984, in the District Court of El Paso County, Texas,  
16 Case No. 860D08136, Respondent was found guilty by a jury and was convicted of one felony  
17 count of Burglary of a Habitation with Commission of Sexual Assault. Respondent was  
18 sentenced to twenty-five (25) years imprisonment.

19 **SECOND CAUSE FOR DISCIPLINE**

20 **(Conviction of a Substantially Related Crime)**

21 11. Respondent is subject to disciplinary action under section 2761, subdivision (f), in  
22 that he was convicted of a crime substantially related to the qualifications, functions, or duties of  
23 a registered nurse. Complainant refers to and incorporates all the allegations contained in  
24 paragraph 10, as though set forth fully.

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 438009, issued to Floyd Leon Vigil;
2. Ordering Floyd Leon Vigil to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and
3. Taking such other and further action as deemed necessary and proper.

DATED: July 1, 2010

  
LOUISE R. BAILEY, M.ED., RN  
Interim Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
*Complainant*

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